

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

LUIS JAVIER OTERO PEDRAZA  
LINETTE RUIZ DIAZ

DEBTORS

CASE NO 13-04290/ESL

CHAPTER 13

NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN  
AND CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

NOW COME, LUIS JAVIER OTERO PEDRAZA and LINETTE RUIZ DIAZ, debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray:

1. Debtors are hereby submitting a proposed amended Plan, dated July 30, 2013, herewith and attached to this motion.
2. This proposed amended Plan is filed to cure the objection raised by the Trustee in his report, docket no. 10, dated July 2, 2013.

WHEREFORE debtors respectfully request the confirmation of the requested amended Plan, dated July 30, 2013.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants and debtors, and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 30<sup>th</sup> day of July, 2013.

/s/ Roberto Figueroa Carrasquillo  
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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 3:13-bk-4290

OTERO PEDRAZA, LUIS JAVIER & RUIZ DIAZ, LINETTE

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☒ AMENDED PLAN DATED: 7/30/2013

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 175.00 x 26 = \$ 4,550.00  
 \$ 275.00 x 7 = \$ 1,925.00  
 \$ 300.00 x 27 = \$ 8,100.00  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 TOTAL: \$ 14,575.00

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
 within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
 addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ 14,575.00

III. ATTORNEY'S FEES  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
 Disclosure Statement: \$ 2,881.00

Signed: /s/ LUIS JAVIER OTERO PEDRAZA  
 Debtor

/s/ LINETTE RUIZ DIAZ  
 Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. DORAL BANK Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # 8933007371684 # \_\_\_\_\_ # \_\_\_\_\_  
 \$ 2,367.00 \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DORAL BANK

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
 Any performance bonus in excess of amount listed in Schedule I will be  
 submitted to the Trustee to increase Plan base.

\* "Tax refunds will be devoted each year, as periodic payments, to the plan's  
 funding until plan completion. The plan shall be deemed modified by such  
 amount, without the need of further Court order. The debtor(s) shall seek court's  
 authorization prior any use of funds."

Late filed claims filed by creditors will receive no distribution. "Surrenders  
 collateral": Shares/savings in any Cooperativa/Association/Bank. Debtor reserves  
 the right to object claims after plan confirmation.

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